

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MIGUEL BAUTISTA,	:	
	:	
Plaintiff,	:	Civil Action No. 1:20-cv-04676-LGS
	:	
-against-	:	
	:	
CHANEL, INC., and JULIE	:	
PAPAIIOANNOU,	:	
	:	
Defendants.	:	
	:	
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DECLARATION OF PAUL H. GALLIGAN, ESQ.

I, PAUL H. GALLIGAN ESQ., declare under the penalty of perjury:

1. I am a partner with the law firm of Seyfarth Shaw LLP, attorneys for Defendants Chanel, Inc., and Julie Papaioannou (collectively “Defendants”) in the above-captioned action. I submit this Declaration in support of Defendants’ Motion for Summary Judgment pursuant to Local Rule 56.1 (ECF Doc. No. 57) and pursuant to the Court’s June 10, 2021 Order (ECF Doc. No. 62) and pursuant to the Court’s July 6, 2021 Order (ECF Doc. No. 68). I know the facts testified to in this Declaration to be true based upon my own personal knowledge, information provided to me, and my review of the documents associated with this action.

2. True and correct copies of the following exhibits in support of Defendants’ Motion for Summary Judgment are annexed hereto as:

<u>Exhibit</u>	<u>Description</u>
A	Complaint, filed on June 18, 2020 (ECF No. 1).

<u>Exhibit</u>	<u>Description</u>
B	Excerpts of the Transcripts of the depositions of Plaintiff Miguel Bautista (“Plaintiff”), conducted on March 23, 2021 (cited in Defendants’ Local Rule 56.1 Statement of Undisputed Material Facts (“SOF”) as “Pl. Tr.”); Julie Papaioannou (“Papaioannou”), conducted on March 24, 2021 (cited in the SOF as “Papaioannou Tr.”); and Catherine Koenig (“Koenig”), conducted on March 26, 2021 (cited in the SOF as “Koenig Tr.”). ¹
C	Video surveillance file, dated November 11, 2018, which was produced by Defendants bearing Bates-stamp numbers D000588 through D000589, and marked and identified as Exhibit 13 during Koenig’s Deposition. Exhibit C was filed under seal per the Court’s decision regarding Defendant’s Motion to Seal (ECF Doc. No. 66) and a hard copy was sent separately to the Court.
D	Audio file, dated November 11, 2018, which was produced by Plaintiff bearing Bates-stamp number P257, and marked and identified as Exhibit 12 during Koenig’s Deposition. A hard copy of Exhibit D was sent separately to the Court.
E	Equal Employment Policies, which were produced by Defendants bearing Bates stamp numbers D000126 through D000131, and marked and identified as Exhibit 10 during Plaintiff’s Deposition.
F	Commission Agreement, which was produced by Plaintiff bearing Bates stamp numbers P31 through 38, and marked and identified as Exhibit 12 during Plaintiff’s Deposition. Exhibit F was filed with redactions per the Court’s decision regarding Defendant’s Motion to Seal (ECF Doc. No. 66).
G	Email from Papaioannou to Ken Izawa, et. al., dated July 3, 2017 re: Selling Limits which was produced by Defendants bearing Bates stamp numbers D000152 through D000153, and marked and identified as Exhibit 31 during Plaintiff’s Deposition; Email from Papaioannou to Ana Fernandez, et. al., dated October 8, 2017 re: Selling Limits which was produced by Defendants bearing Bates stamp number D000155, and marked and identified as Exhibit 32 during Plaintiff’s Deposition; Email from Papaioannou to Ana Fernandez, et. al., dated November 6, 2017 re: Selling Limits which was produced by Defendants bearing Bates stamp numbers D000298 through D000299, and marked and identified as Exhibit 34 during Plaintiff’s Deposition. Exhibit G was filed with redactions per the Court’s decision regarding Defendant’s Motion to Seal (ECF Doc. No. 66).

¹ Pursuant to the Court’s July 6, 2021 Order (ECF Doc. No. 68), Defendants sent the Court a CD containing all of the previously-filed deposition transcripts excerpts.

<u>Exhibit</u>	<u>Description</u>
H	Email from Christina Kooij to Koenig, dated January 17, 2018 attaching email chain bearing Bates stamp numbers D001470 through D001479 and marked and identified as Exhibit 6 during Koenig's Deposition. Exhibit H was filed with redactions per the Court's decision regarding Defendant's Motion to Seal (ECF Doc. No. 66).
I	Email from Christina Kooij to Koenig, dated January 24, 2018 bearing Bates stamp numbers D000265 through D000266 and marked and identified as Exhibit 36 during Plaintiff's Deposition. Exhibit I was filed with redactions per the Court's decision regarding Defendant's Motion to Seal (ECF Doc. No. 66).
J	Email from Papaioannou to Plaintiff, dated November 13, 2017 bearing Bates stamp number D000150 and marked and identified as Exhibit 33 during Plaintiff's Deposition. Exhibit J was filed with redactions per the Court's decision regarding Defendant's Motion to Seal (ECF Doc. No. 66).
K	Letter to Plaintiff from Koenig regarding investigation, dated March 22, 2018 bearing Bates stamp numbers D000539, and marked and identified as Exhibit 38 during Plaintiff's Deposition; letter to Papaioannou from Koenig regarding investigation, dated March 22, 2018 bearing Bates stamp numbers D003618, and marked and identified as Exhibit 5 at Koenig's Deposition. Exhibit K was filed under seal per the Court's decision regarding Defendant's Motion to Seal (ECF Doc. No. 66).
L	Email from Papaioannou to Adam Cagle, et. al. dated May 17, 2018 bearing Bates stamp numbers D003767 and D003769, and D000505 through D000512 and marked and identified as Exhibit 41 during Plaintiff's Deposition. Exhibit L was filed under seal per the Court's decision regarding Defendant's Motion to Seal (ECF Doc. No. 66).
M	Email from Papaioannou to Koenig et. al., dated November 11, 2018, bearing Bates stamp numbers D000242 through D000245; and client record screenshots bearing Bates stamp numbers P42 through 44, and marked and identified as Exhibits 47 and 48 during Plaintiff's Deposition. Exhibit M was filed under seal per the Court's decision regarding Defendant's Motion to Seal (ECF Doc. No. 66).
N	Email from Koenig to Plaintiff dated November 13, 2018, bearing Bates-stamp numbers D001562 through D001563, which was produced by Defendants, and marked and identified as Exhibit 51 during Plaintiff's deposition. Exhibit N was filed under seal per the Court's decision regarding Defendant's Motion to Seal (ECF Doc. No. 66).

<u>Exhibit</u>	<u>Description</u>
O	Koenig's notes, dated November 14, 2018 regarding meeting with Plaintiff, bearing Bates-stamp numbers D000548 through D000555, D000557, and D000559 through D000562, which were produced by Defendants, and marked and identified as Exhibit 11 during Koenig's deposition; Koenig's Video Timeline Bates-stamp numbers D003629 and D003631. Exhibit O was filed under seal per the Court's decision regarding Defendant's Motion to Seal (ECF Doc. No. 66). To comply with the Court's Individual Rules and the Court's July 6, 2021 Order (ECF Doc. No. 68), we have omitted Bates Numbers D000556, D000558, and D000563-566 from Koenig's investigative notes, and D003631 from Koenig's Video Timeline, as such Bates Numbers reflect either duplicative or non-pertinent information.

Date Executed: July 9, 2021

/s/ Paul H. Galligan

Paul H. Galligan, Esq.